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FCC MAIL SECTION  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

Federal Communications Commission  
Office of the Secretary

OCT 9 10 37 AM '90

In re Application of

CAPROCK EDUCATIONAL BROADCASTING  
FOUNDATION

For Modification of Construction Permit  
WAFY, Lubbock, TX

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File No. BMPED-890726IF

To: Chief, Mass Media Bureau

OPPOSITION TO PETITION FOR RECONSIDERATION

Caprock Educational Broadcasting Foundation ("Caprock"), by its counsel, herewith submits its opposition to the PETITION FOR RECONSIDERATION filed by Williams Broadcasting Group ("Williams") in connection with the above-captioned application. In support whereof, the following is stated:

1. Williams wants the Commission to consider its Petition to Deny and Complaint, filed May 25, 1989 against BMPED-880328MM in connection with the instant minor modification application. Of course, a petition to deny does not lie against a minor modification application. In the event the petition is given consideration, Caprock requests that its response to the petition to deny be incorporated by reference herein.

2. Williams complains that the minor modification application was not served on its counsel. However, Williams cites no

postmarked two days after the date on the certificate of service.  
Unconscionable!).

3. Finally, Williams refers to a "sixty-five page Report," dealing with the various "sins" of Caprock. Since Williams apparently has access to Commission documents to which Caprock is not privy, Caprock is certainly in no position to respond to the innuendo raised in this portion of the Williams pleading.

WHEREFORE THE PREMISES CONSIDERED, it is respectfully requested that Williams' petition be dismissed and/or denied.

Respectfully submitted,

Law Offices  
JAMES L. OYSTER  
Rt. 1, Box 203A  
Castleton, VA 22716  
(703) 937-4800

CAPROCK EDUCATIONAL  
BROADCASTING FOUNDATION

By \_\_\_\_\_  
James L. Oyster  
Counsel

CERTIFICATE OF SERVICE

James L. Oyster hereby certifies that he has sent a copy of the foregoing OPPOSITION TO PETITION FOR RECONSIDERATION by first class U.S. mail, postage prepaid, on or before the 5th day of October, 1990 to the following:

John H. Midlen, Jr., Esq.  
Midlen & Guillot. Chartered  
3238 Prospect St., N.W.  
Washington, D.C. 20007

Exhibit 1

LAW OFFICES  
**MIDLEN & GUILLOT**  
CHARTERED  
3238 PROSPECT STREET, N. W.  
WASHINGTON, D. C. 20007-3215

James L. Oyster, Esq.  
Rt. 1, Box 203A  
Castleton, VA 22716

